

Buckeye Lake Village Council Special Meeting
Held in Village Hall
June 20, 2016
Meeting Minutes

Call to Order: By Council President Zwissler at 6:00 pm.

Pledge of Allegiance and Moment of Silence: Led by Council President Zwissler

Roll Call: Present: Tom Wolfe (0,0), Kitty Zwissler (0,0), Doug Poorman (0,0), Peggy Wells (0,0)
(Consecutive, Total Absences)

Mayor Carroll

Absent: Arletta Ruton (0,3), Tim Ryan (0,0), Robert Masone (0,0)

Staff Present: Valerie Hans, Clerk of Council.

New/Unfinished Business: Eric Sandine, Community Development Specialist, GGC Engineers introduced himself and made a presentation on Right-of-Way use agreements. This agreement is created with a combination of the user fees and registration fees for all occupants of the right-of-way. You have to determine the amount of lane miles of right-of-way that are present in the village as well as how many miles of the right-of-way each utility occupies. Those numbers get divided by the total lane miles to determine the equal and equitable cost share. Your own utilities factor into the overall cost, but you can exempt you own utilities from paying the agreement. You will have a higher registration fee for the first year, and a lower cost share. This will switch as time goes on. He mentioned that these type of agreements are provided for by the Ohio Revised Code section 4939. This code section allows municipalities to create a cost recovery method so that municipalities do not suffer unnecessarily from use that utilities create on their village right-of-ways. Mr. Sandine stated that the fees have to be equal and equitable. He stated that VSP (video service providers) pay a franchise fee to the municipality. The village cannot charge both a franchise fee and a right-of-way use cost recovery fee. Therefore, the municipality would want to charge the most cost beneficial of the two agreements. Mr. Sandine gave examples of right-of-way activities that are eligible to be placed for cost recovery in the agreement such as: mowing/weed eating, OUPS fees, utility marking services, degradation of useful life of roadways.

Councilor Wells, asked what VSP means. Mr. Sandine responded, "Video Service Provider." Councilor Wells also asked, on your formula you take the total program cost divided by the miles of roadways, encumbered miles, and that gives you x. Mr. Sandine then continued, "Then you divide that by the total encumbered miles."

Councilor Wells asked if it is possible that one provider will end up paying more because they have more lane mile usage. Mr. Sandine stated yes that is possible but there is a minimum annual cost of 1 mile of usage.

Mr. Sandine stated that his company will prepare the ordinance, the legislation to establish a special revenue fund, the PUCO filing, sending of registration packets for each of the public utilities, review and establish the amount of lane mile usage for each of the public utilities, create a spreadsheet for managing the cost recovery, send out invoices to each of the public utilities at the end of the year.

Council Clerk Hans asked if we could use the funds to help get our utilities underground on the main roadways. Mr. Sandine said that you could not do that specifically, but you could create an underground utility corridor and an above ground utility corridor to accomplish that goal.


Citizens Comments: None

Adjournment: Motion by Councilor Ruton to adjourn the meeting, Seconded by Councilor Poorman.


Vote: Yeas: Wolfe, Zwissler, Poorman, Wells

Motion carried 4-0

Meeting adjourned at 7:22 pm.



Valerie Hans, Clerk of Council



Catherine Olohan Zwissler, President of Council